

**Testimony of David L. Gunn
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**Before the
Senate Commerce Subcommittee on Surface Transportation
And Merchant Marine
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Mr. Chairman and members of the committee, thank you for the opportunity to appear here today. My name is David Gunn, and I am President and Chief Executive Officer of the National Railroad Passenger Corporation (Amtrak). I have extensive experience in the rail industry, spanning over 38 years. In this business, you have to be committed, everyday and in every way, to safety. At Amtrak, the safety of our passengers, employees and communities that we travel through is of the utmost importance. If you are not committed to safety, you have no business running trains.

In my testimony this morning, I'd like to give you some context and insights into Amtrak's safety programs, our record and our major concerns.

To begin with, I want to emphasize that the safety of all passengers, employees, trains and facilities is our number one priority. As the operator of our national passenger rail system, Amtrak has a strong safety record. But of course, when it comes to safety, one must never be satisfied with the status quo.

That's why we are constantly studying every aspect and taking every step that's necessary and feasible to ensure greater safety.

As you know, the railroads in this country were originally financed and built primarily by private interests, and for the most part these companies retained ownership of the tracks when Amtrak was created in 1971. Today about 97% of Amtrak's 22,000-mile system – and about half of our daily trains – is operated over tracks that are owned and maintained by private freight railroads. Amtrak owns about 730 route miles of railroad, primarily between Boston and Washington, DC, and some in Michigan. Across the rest of the country, we rely heavily on our partners in the freight and commuter railroads to provide a safe operating environment.

Notwithstanding the recent tragedy in Florida involving our Auto Train and other well-publicized incidents, there are a number of basic indicators that tell me that Amtrak is maintaining a high-level of rail safety. Comparing the first eight months of FY'02 to the same period in 2001, we have achieved a 22% reduction in passenger injuries ... a 11% reduction in employee injuries ... 20% fewer grade-crossing incidents ... and about 7% fewer operating rule infractions.

These are encouraging numbers and trends. But as I said, we can and must do better. Amtrak and its industry partners are constantly seeking ways to improve our safety performance.

As we look at operating rule infractions, they tend to fall into two categories: those that occur in fixed facilities like stations, yards and shops, and those that occur on the main lines. The majority of Amtrak's operating rule infractions occur in yard-related equipment moves and involve violations of procedures such as running through improperly lined hand switches in a yard, failing to stop short of an obstruction in a yard, or failing to secure equipment properly. These are minor infractions, but they have the potential to cause serious problems, so we focus a great deal of energy on preventing them.

We measure and report these infractions on a monthly basis, and if you look at the last three years, there has been steady improvement. For example, if you compare the first nine months of this year to the same period in previous years, you'll find that operating rule infractions dropped from 123 in FY 2000, to 118 in FY '01, to 110 this year. The monthly average for the entire year in the last two years was just shy of 14, and the average so far this year has been about 12.

Despite our overall record of improvement, in April of this year we recorded an increase in operating rule infractions, which was unacceptable. In response to this increase, our Chief Operations Officer organized a national operating rules awareness blitz for transportation department employees in May. Field supervisors conducted nearly 10,500 efficiency tests on nearly 2,900

engineers, conductors, train dispatchers and block operators on 17 safety-critical operating procedures. These activities were done in conjunction with representatives from the FRA and host railroads, and were performed around the clock in many locations across our system for a solid week. The safe operation of our trains whether they be in yards or on the mainline is one of our management goals.

In the month of June, we reduced the number of operating rule infractions to 11. But we're still working hard to bring that number down even further. In the month of June, we conducted a similar blitz for mechanical department employees, and in July, we will do a blitz in the engineering department. We will continue to remain vigilant in all areas of our operation to reduce operating rule infractions.

In an effort to prevent grade crossing accidents, Amtrak and the rest of the railroad industry participate in public education and enforcement campaigns through Operation Lifesaver. This program, now entering its 30th year and reaching 49 states, is a joint effort of the Railway Progress Institute, Amtrak and the freight railroad industry, and it has assisted in achieving a 70% reduction in grade crossing fatalities since 1972.

Mainline passenger derailments occur infrequently, but of course we are very concerned about them because they can result in serious injuries and

deaths. For example, the Auto Train derailment in Crescent City, Florida, on April 18 claimed the lives of 4 people and injured 150. All of us at Amtrak extend our deepest sympathies to the families of those who were lost and injured. The cause of this derailment is still under investigation by the National Transportation Safety Board. What I can say, though, is that train travel is a very safe mode of transportation, and we will not rest as long as there are opportunities to improve our performance.

Moving to another issue of concern, train crew fatigue is one of the most difficult challenges facing the entire railroad industry. Amtrak is governed by -- and adheres strictly to -- guidelines set by Congress on train crew hours of service. Fortunately, Amtrak runs a scheduled system with scheduled relief days, which allows employees to adequately manage their lives to avoid fatigue. In addition, Amtrak provides fatigue-prevention education to all locomotive engineers as part of their initial certification training, and again when they seek re-certification. Working with the freight railroads, the AAR, the FRA, and our rail labor unions through the North American Rail Alertness Partnership (NARAP), we are exploring ways to go further in mitigating and preventing fatigue.

In our constant efforts to improve safety and reliability, Amtrak employs various train control systems. For example, all Amtrak-owned main lines have highly reliable systems that automatically apply a train's brakes if the engineer fails to respond to a signal change. On the Northeast Corridor, we are phasing in

an Advanced Civil Speed Enforcement System, called ACSES, which will enforce stops at interlockings and control points, as well as all FRA speed limits. We have just instituted a similar system on our Michigan line, enabling the first significant increase in sustained passenger rail speeds above 79 miles per hour outside the Northeast in 20 years. Amtrak is also involved in the North American Joint Positive Train Control Project, in which the entire industry is looking for a practical, cost-effective way to provide positive train control on rail lines where it is deemed appropriate. A demonstration project is soon to be implemented on Union Pacific trackage in Illinois, with major participation from the Illinois DOT, FRA and AAR.

Let me briefly raise another issue that I believe bears strongly on the safety of our Northeast Corridor Operations. Some have suggested that Amtrak's role on the Northeast Corridor be limited to operations and that maintenance and dispatching be done by another entity much like the recent reorganization of the British Rail in England. I believe this would pose serious safety concerns. Amtrak currently has the strongest incentive to ensure that the Northeast Corridor rail line is adequately maintained for high-speed rail operations -- because it runs the trains! Indeed, Amtrak is the only operator of high-speed rail on the Northeast Corridor and has the only work force trained to maintain tracks for speeds up to 150 mph. Its operations and engineering employees report through the same organization, ensuring the communications and common budget that is essential to safe operations. These employees

operate and maintain the nation's only high-speed service and do an extremely good job.

Amtrak also currently works very closely with the commuter railroads and freight lines that operate on the Northeast Corridor to ensure that the corridor is safe, reliable and adequately maintained. The safety record of the NEC is unparalleled. We manage to cooperatively dispatch a rail line with hundreds of daily trains -- some 850 commuter and Amtrak trains operate through Penn Station in New York every day! We've been able to accommodate significant growth in commuter service and in our own Acela service. The perennial problem of funding -- the corridor requires a minimum of \$5 billion over the next ten years to upgrade the aging infrastructure -- will not be fixed by taking maintenance responsibilities away from Amtrak. What is required is a dedicated funding source that will provide the long-term funds required for safe rail service on the Northeast Corridor.

In closing, let me assure you that we are vigilant and do everything in our power to maintain and improve the safety of our system throughout the country.

Thank you for the opportunity to provide this testimony, Mr. Chairman. I will be happy to answer questions.